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13 *Attorneys for Plaintiffs*
14 TROYLETTE BURTON, Individually, and as
15 administrator of the ESTATE OF THAYER
16 JOSEPH BURTON, AND THAYER BURTON

17 UNITED STATES DISTRICT COURT

18 DISTRICT OF NEVADA

19 TROYLETTE BURTON, Individually, and as
20 Administrator of the ESTATE OF THAYER
21 JOSEPH BURTON, and THAYER BURTON,

22 Plaintiffs,

vs.

23 MOISES FONSECA; ROBERT SMITH;
24 JANE/JOHN DOES; ISIDRO BACA; ADAM
25 LAXALT; BARBARA CEGAVSKE; and
26 BRIAN SANDOVAL,

27 Defendants.

28 Case No. 3:20-cv-00190-MMD-CLB

29 **STIPULATION AND ORDER REGARDING
30 THE IDENTIFICATION OF A FINAL
31 POLICYMAKER AND DEFENSES THAT
32 ARE WAIVED**

33 Plaintiffs, TROYLETTE BURTON, individually, and as Administrator of the ESTATE OF
34 THAYER JOSEPH BURTON, and THAYER BURTON; and Defendants, MOISES FONSECA,
35 ROBERT SMITH, JANE/JOHN DOES, ISIDRO BACA, ADAM LAXALT, BARBARA
36 CEGAVSKE, and BRIAN SANDOVAL (collectively hereinafter the “PARTIES”), by and through
37 their counsel of record, hereby stipulate and agree to the following:

1 In exchange for Plaintiffs' agreement to dismiss the Complaint against DEFENDANTS,
2 ADAM LAXALT, BARBARA CEGAVSKE, and BRIAN SANDOVAL, and the Court's adoption
3 of the related Stipulation of the Parties filed this date, Plaintiffs and Defendants stipulate and agree
4 as follows:

5 1. Warden, ISIDRO BACA, is the final policymaker as to all matters asserted in the
6 Complaint (excluding budgetary); and

7 2. The Defendants waive any defense that is in any way related to funding. Specifically,
8 no Defendant will raise a lack of adequate funding as a basis to support a defense or request for
9 immunity, or as a complete defense.

11 DATED: January 14, 2021

PETER GOLDSTEIN LAW CORP

13 By: /s/ Peter Goldstein
14 PETER GOLDSTEIN, ESQ.
15 Attorneys for Plaintiffs
16 *TROYLETTE BURTON, Individually, and as
administrator of the ESTATE OF THAYER
JOSEPH BURTON, AND THAYER BURTON*

17 DATED: January 14, 2021

19 By: /s/ Douglas R. Rands
20 AARON D. FORD, ESQ.
21 DOUGLAS R. RANDS, ESQ.
22 Attorneys for Defendants
23 *ISIDRO BACA, BARBARA CEGAVSKE, ADAM
LAXALT, MOISES FONSECA, BRIAN SANDOVAL and
ROBERT SMITH*

23 **ORDER**

24 IT IS SO ORDERED

25 DATED this 14th day of January, 2021.



26
27 UNITED STATES DISTRICT JUDGE
28

CERTIFICATE OF SERVICE

I am employed in the County of Clark, State of Nevada. I am over the age of eighteen years and not a party to the within action; my business address is 10161 Park Run Drive, Suite 150, Las Vegas, Nevada 89145.

I hereby certify that on this 14th day of January, 2021, a true and correct copy of the following document **STIPULATION AND ORDER REGARDING THE IDENTIFICATION OF A FINAL POLICYMAKER AND DEFENSES THAT ARE WAIVED** was served by electronically filing with the Court's CM/ECF electronic filing system to the following parties:

Aaron D. Ford
Attorney General
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*Attorneys for Defendants Isidro Baca,
Barbara Cegavske, Adam Laxalt, Brian
Sandoval and Robert Smith.*

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

By: Toni Dean
An Employee of Peter Goldstein Law Corp